THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.5889 OF 2006

ORAL ORDER:

This Writ Petition is filed seeking a declaration that the alleged action of the respondents in not handing over peaceful possession of the premises bearing No.5-4-746, 5-4-746/A, 5-4-746-C/3 and 5-4-746/D/1, Nampally Road, Abids, Hyderabad, as well as hypothecated goods in spite of the order of the Debts Recovery Tribunal, Hyderabad, dated 21.03.2006 passed in S.A.No.1 of 2006, is arbitrary and illegal.

When the matter is taken up for consideration, learned counsel appearing for the 1st respondent-Andhra Bank, under instructions, stated that against the order dated 21.03.2006, 1st respondent-Bank preferred appeal before the Debt Recovery Appellate Tribunal at Chennai, and having entertained the appeal, the appellate Tribunal by order dated 23.03.2006 directed that status quo as on that day shall continue until further orders. A copy of the said order is placed before this Court.

Having regard to the fact that the order dated 21.03.2006, on the basis of which, the petitioner seeks a Writ of Mandamus is the subject matter of appeal pending before the Appellate tribunal in which an interim order of status quo is operating, the Writ of Mandamus as prayed for cannot be granted.

Accordingly, the Writ Petition is dismissed. No costs.

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(G. ROHINI, J.)

27th March, 2006.

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THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.5889 OF 2006

27th March, 2006.

Between:

M/s Big Shot Universe,
a Partnership concern, represented by
its Partner Shri Hemanth Savla, having
its office at 5-4-746, Nampally Station
Road, Abids, Hyderabad. .. Petitioner.

And

The Andhra Bank, represented by its
Chairman, opp: RBI Buildings,
Saifabad, Hyderabad and another. .. Respondents.